

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

BARROW

75-CR-127

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p><b>THE UNITED STATES</b></p> <p align="center"><i>vs.</i></p> <p><b>RALPH W. FLANDERS</b></p>	<p><i>For U. S.:</i></p> <p align="center">Hubert H. Bryant</p>
<p>Kenneth Stainer <i>584-6004</i> Atty. for Ken. Ross.</p> <p>Deft. on bond, address is:</p> <p>7029 Briar Cove Drive Dallas, TX 75240 (214) 239-0938 Office # (214-233-0930)</p>	<p>Bill Smalley (ret.) Suite 3, 107 S. 36th - Muskogee 74401 (683-7777 or 682-1202)</p> <p>Surety: Peerless Insur. Co. 2019 Main St. Dallas, TX 75201 214-747-9797</p> <p><i>For Defendant:</i> James Werner (ret) 585-1600 1722 S. Carson Tulsa, Ok</p> <p>Irvine Ungerman (ret) 584-6101 625 Wright Bldg. Tulsa, Ok.</p> <p><i>Widener 747-8881</i> <del>Wayne Woody for Kenneth Ross, Jr.</del></p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>10-1-75</i>	Clerk				
J.S. 3 mailed <i>11-5-75</i> <i>2-1-76</i>	Marshal				
Violation fraud by wire, radio or TV	Docket fee				
Title 18					
Sec. 1343					
2 Counts (\$1,000 and/or 5 yrs) <i>as d.</i>					

DATE	PROCEEDINGS
9-4-75	Record vote of grand jury, filed in open court. rm
9-4-75	Indictment, filed in open court. rm
9-4-75	Warrant of arrest issued. rm (Bond set at \$10,000 C/S)rm
9-10-75	Waiver of Removal Hearing signed in the N.D. of Texas, filed. v
9-10-75	Report of Proceedings Under Rule 40, & Order entered thereon, from N.D. of TX, fld. v
9-10-75	Appearance Bond of Deft. in amount of \$10,000.00, C/S, filed with conditions of release. (Bailty F. Rankin-Mag.)v
9-10-75	Criminal Docket Sheet from N.D. of TX, fld. v
9-12-75	MO: Case set for arraignment & plea on 9-16-75, at 10:00 A.M. (AEB-J)b nts mld
9-16-75	Magistrate papers added to file. v
9-16-75	Case called for arraignment & plea. Deft. present without counsel. Govt. represented. Deft. requests arraignment be passed for 1 week so that he may obtain local counsel. Court passes arraignment to 9-23-75, at 10:00 A.M. Deft. to remain on present bond & may travel between Dallas & Tulsa. (AEB-J)b

DATE	PROCEEDINGS
9-23-75	Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indictment, & is arraigned. Deft. enters plea of NOT GUILTY to Cts. 1 & 2. Case is set for jury trial on 10-20-75, at 10:00 A.M. Deft. is given til 10-2-75 to file motions & Pltf given til 10-7-75 to respond. Deft. to remain on present bond.(AEB-J)b
10-9-75	MO: Case set for jury trial on 10-20-75, at 10:00 A.M.(AEB-J)b mts mld
10-20-75	Case called for jury trial. Deft. present & represented. Govt. represented. Parties announce ready. Jury selected & sworn. Jurors excused until 10-21-75, at 2:00 P.M. All witnesses recognized back on 10-21-75.(AEB-J)b
10-22	Bench Warrant issued this date for witness Kenneth Ross per order of Court. v
10-23-75	Case tried to jury Oct. 22 & 23, 1975. Deft.: present & represented. Govt. represented. Parties announce ready. Jury selected & sworn. Rule is invoked. All witnesses recognized back on following day. Pltf makes opening statement & presents case in chief w/witnesses sworn & testify. Deft. has running objection to Lannings testimony. Pltf. rests & Deft's motion for dismissal denied. Deft makes no opening statment & presents no case. Parties rest. Jury dismissed for day, trial to continued 10-23-75, 9:30 A.M. 10-23- 9:30 A.M. closing arguments made & Court instructs jury. Bailiff sworn. Jury retires to deliberate at 10:30 A.M. Note received from foreman at 12:00 P.M. Jury requests the reading of Schwabs testimony. Court recesses for lunch & returns at 2:40 P.M., & Ct. reporters reads testimony of witness Schwab. Jury retires to continue deliberations at 2:46 P.M. (3:02 P.M.) Jury returns w/verdict finding Deft. GUILTY to Cts. 1 & 2 of the indictment. Verdict received, read & filed in open court. Jury is discharged. Deft. advised of his right to appeal. Sentence is set for 11-5-75, at 10:00 A.M. Bond is raised to \$25,000 C/S. Verdict spread of record by the Clerk.(AEB-J)b
10-23-75	Verdict, filed in open court finding Deft. GUILTY. b
10-23-75	Trial exhibits, filed in case. b
10-24-75	Appearance Bond in amt. of \$25,000 suretyw/ Order specifying methods & conditions of release, filed. b
10-28-75	Motion for new trial by def., filed. rm
10-28-75	Brief in support of motion for new trial, filed. rm
10-28-75	MO: Ordered by the Court that special conditions of Deft's bond are amended to: Deft. is allowed to travel between Tulsa & Dallas and Lubbock, Texas.(AEB-J)b
10-30	Appl. of Govt. to withdraw trial exhibits, filed. rm
10-31	Responsive Brief in Opposition to Deft.'s Mot. for a New Trial, fld. v
11-4-75	Order overruling Deft's motion for new trial, filed.(AEB-J)b cps mld
11-5-75	Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced:
	JUDGMENT & SENTENCE - RALPH W. FLANDERS Atty. Gen. - the maximum period of Five (5) years as to each count, for a study as described in 18 USC 4208(c), the results of such study to be furnished this court within 90 days, whereupon sentence of imprisonment herein imposed may be subject to modification in accordance with 18 USC 4208(b). Court recommends commitment to U.S. Medical ctr for Fed. Prisoners, Springfield, Mo. Deft remanded to custody of USM.(AEB-J)b

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## CRIMINAL DOCKET

DATE	PROCEEDINGS
1975	
11-5	Order, filed, allowing w/drawal of Govt.'s Trial Exhibits, fld. (AEB-J)v
11-6	Entry of appearance by Bill Smalley as addl. counsel for def., filed.rm
11-6	Alternative appl. of def. for stay of execution of sentence, or for order nunc pro tunc, with supporting brief, and Affidavit of Ralph Flanders attached, filed. rm
11-11	Order, filed, denying appl. of deft. for a stay or Order Nunc Pro Tunc suspending the imposition of sentence entered 11-5-75. (AEB-J)g
11-12-75	Witness having been subpoenaed for jury trial on 10-20-75 & not making appearance Ct. issued bench warrent. Witness Kenneth C. Ross, Jr., having been arrested is brought before Court. Ordered that all entries of Mr. Ross's name be amended to reflect the Jr. Govt. makes statement re: Ross's failure to appear as witness in criminal trial. Ross adjudged to be in indirect contempt of court. \$50,000 cash bond set. Show cause hearing as to why Ross should not be held in direct contempt of court set for 11-24-75, at 11:00 A.M. Ross remanded to custody of USM.(AEB-J)b
11-12-75	Appearance Bond on Kenneth C. Ross, Jr., in amt. of \$50,000.00 cash, w/Order specifying methods & conditions of release, filed. b
11-12-75	J&C, ret. & filed: deft. Flanders delivered to USMC, for Federal Prisoners, Springfield, Mo., 11-5-75. g
11-17	Return on warrant for arrest of witness, filed. Executed by arresting Kenneth Ross (true name Kenneth C. Ross, Jr.) at Tulsa, Okla. on 11-12-75. Made bond of \$50,000 cash. hm
11-20	Reporter's transcript of proceeding had on 11/12/75, re contempt hearing on Kenneth C. Ross, Jr., filed. (G. Dorrough-CR)rm
11-21	Appl. to w/draw as atty.s of record for Kenneth C. Ross, Jr., witness, fld.v (o)
11-21	Entry of Appearance of Kenneth L. Stainer at atty. of record for Kenneth C. Ross, fld. v
11-24	Order, filed, allowing Wayne Woody, John R. Paul & Edward E. Glass to withdraw as attys. of record for Kenneth C. Ross, Jr., witness, filed. (AEB-J)k cps mld
11-24-	Case called for show cause hearing re: Kenneth C. Ross, Jr., subpoenaed witness for trial of Deft. Mr. Ross present & represented. Govt. represented. Parties make statements. Mr. Ross placed under oath & makes statement to court. Mr. Ross pleads GUILTY to charge of being in indirect contempt of court & is adjudged GUILTY as charged. Mr. Ross & atty. are asked if they have anything to say before sentence is pronounced:
	Order & Sentence - Kenneth C. Ross, Jr.
	Atty. Gen. - Ten (10) days.
	Bond exonerated. Ross remanded to custody of USM.(AEB-J)b
11-24-	Order & Commitment, filed & entered.(AEB-J)b
11-24-	Two c/c of O & C to USM. b
11-26	Motion of Kenneth C. Ross, Jr. for reduction of sentence, filed.k
11-26	Statement of counsel in lieu of brief in support of mot. of Ross for reduction of sentence, filed.k
11-26	Order to disburse \$50,000 cash bond posted by Kenneth C. Ross, Jr., to Prime Resources Corporation and Kenneth C. Ross, Jr., filed. (AEB-J)g

DATE	PROCEEDINGS
1975	
11-28	Order, filed, that the ten(10) day jail sentence imposed upon the Defendant Kenneth C. Ross, Jr. by the Court on 11-24-75 be reduced to the actual time said Deft. has now served in jail. Further, that the Deft. be released and discharged from custody forthwith, and that the USM for the NDO immediately release and discharge said Deft. Ross from custody. (AEB-J)k <i>cert copy to USM. cf. mld to Staines &amp; Bryant</i>
11-28	Appearance Bond of Kenneth C. Ross, Jr. in the amount of \$5,000, OR Bond, with Order specifying methods & conditions of release, filed. ph
11-28	J&C (Order) as to Kenneth Ross, Jr., ret. & filed: Ross delivered to Tulsa County Jail on 11-24-75. g
12-9	Order of 11-28-75 re deft. Kenneth C. Ross, Jr., ret. & filed: defendant released as per order, 11-28-75. g
1-12-76	MO: Case set for definitive sentence on 1-20-76, at 10:00 A.M.(AEB-J)b nt <sub>s</sub> mld
1-20-76	Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & Counsel asked if they have anything to say before sentence pronounced. JUDGMENT & SENTENCE - RALPH W. FLANDERS Ct. 1 - Atty. Gen. - Five (5) years and as stated in Sec. 4208(a)(2) Ct. 2 - Imposition of sentence is suspended and Deft. is placed on Prob. for a period of four (4) yrs. to commence at completion of incarceration. Deft. advised of right to appeal. No appeal bond allowed by Ct., due to appeal pending in Calif.(AEB-J)tc
1-20-76	Judgment and Commitment, filed & entered(AEB-J)tc
1-20-76	Two c/c to U.S.M.tc
1-20-76	Two c/c to Prob.tc
1-29-76	Notice of appeal of deft. of judgment on 1-20-76, filed. ph cpy to USCA
2-9	Designation of record on appeal, filed. rm
3-3	Reporter's transcript of proceedings had on 10/22/75, jury trial, filed. (G. R. Dorrough-CR)rm
3-5	Original record on appeal (2 vols) transmitted to USCA.rm
5-4	J&C, ret. & filed: deft. delivered to FCI, Texarkana. Tx. on 4-23-76. g
9-20	Mandate of USCA, filed and spread of record, dismissing appeal for lack of prosecution. rm
12-23-76	Original appeal record (2 vols) received from USCA. rm
1-18-77	Mot. of Deft. Flanders to Reduce Sentence, fld. v -cpy to Dene.
1-24	Order, filed, that the mot. for discretionary modification of sentence of deft. Falph W. Flanders is overruled.s (AEB-J) cps. mld.
1983	
3-2	EXHIBITS returned to pltf. counsel. hm

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